

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BETTY M. MONCION,

Plaintiff,

-against-

STEPHEN SONDHEIM THEATER,

Defendant.

22-CV-1025 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff is proceeding *pro se* and *in forma pauperis* (IFP). By order dated March 25, 2022, the Court directed Plaintiff to amend her complaint to address deficiencies in her original pleading. That order specified that failure to comply would result in dismissal of the complaint. The order was mailed to Plaintiff, but it was returned as undeliverable on April 6, 2022, and Plaintiff did not update her address or otherwise communicate with the Court. By order dated June 6, 2022, the Court dismissed the action. On June 8, 2022, Plaintiff submitted a change of address.

The Court's June 6, 2022, order and judgment are **vacated**. The Clerk of Court is directed to: (1) reopen this action; and (2) mail a copy of this order **and** the Court's March 25, 2022, order to Plaintiff at her new address. The Court grants Plaintiff 60 days to file an amended complaint that complies with the March 25, 2022, order. No answer will issue at this time. If Plaintiff fails to comply within the time allowed, and she cannot show good cause to excuse such failure, the action will be dismissed for failure to state a claim on which relief may be granted. No further extensions of time will be granted.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when she seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: June 9, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge